

Commercial Movies and Television

Commercial movies may be used in a classroom or library media center if their use meets the following criteria:

- The movie is used during face-to-face instruction as part of the instructional unit or lesson to which it applies.
- The movie is a true and legal copy (i.e., the movie has not been dubbed from another video or DVD or recorded from a premium television channel such as HBO, Cinemax).
- The use of the movie is documented in the lesson plans as to how the movie supports the goals and objectives of the lesson.

The Copyright Law does not permit the use of movies for reward, entertainment, or any other use that would constitute a public performance. Whether admission fees or charged or not does not affect this prohibition.

Use ITV and Cable-in-the Classroom programming as well as *Streamline SC*. Consult with the library media specialist to find programs to meet instructional objectives.

All PBS programming comes with a minimum one-year copyright permission.

Programs recorded from open-circuit television must be shown within the first ten **school days** and can be shown only once. Tapes may be retained for forty-five **calendar days** but then must be erased. *Open-circuit television* refers to programming received through the use of antennae. Programs received via cable or satellite (e.g., Disney, HBO, A&E, The History Channel) are restricted and the ten-day Fair Use Guideline does not apply.

A teacher may not record clips from various movies to create an anthology for use in the classroom.

A teacher may not edit a movie to remove objectionable words, scenes, or actions.

For more information or assistance contact:

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Copyright Quick Tips

(Here is a handy quick reference for using copyrighted materials in the classroom and library media center.)

General Considerations

Educational "Fair Use" is not justification for defying the Law.

Any resources used in any type of project must be given proper credit.

Students may use copyrighted materials in their multimedia projects as part of their electronic portfolios for school, college applications, and/or job interviews.

Students may perform and/or display their multimedia projects in the course for which they were created. These projects may not be performed or displayed in a public arena or posted to a school- or district-related web page without express prior written permission from all copyright owners.

Teachers may include copyrighted materials in multimedia projects for instructional purposes, for conference presentations, for staff development purposes, for up to two years after the first use. After two years, express written permission must be obtained for continued use of the copyrighted materials.

Teachers and students can use parts of legally attained and properly credited copyrighted materials for instructional purposes and for student projects, included multimedia presentations.

All copyrighted material must be properly cited and credited.

A supervisor (e.g., principal, assistant principal, superintendent, assistant superintendent) may not direct an employee to knowingly violate the copyright law.

James H. Rex
State Superintendent of Education
South Carolina Department of Education
School Library Media Services
Office of Technology

Internet Resources

All materials found on the Internet are copyright protected unless the site specifically states that the resources are "copyright free" or "royalty free."

Any images, sounds, pictures, clipart, music, or formatting taken from a web site and used in a school- or district-related web page must have prior express written permission from the copyright owner(s).

Any student- or teacher-produced multimedia presentations may not be posted to a public web page without prior express written permission from every copyright owner.

Invest in copyright-free clipart, stock photos, and music for use in multimedia presentations and web page design.

Print Resources

A teacher may make a class set of print copies, if the duplication meets the following criteria:

- brevity;
- spontaneity; and
- cumulative effect.

A teacher may **not** make a copy of the copyrighted material for every student he or she teaches. One class set may be made, distributed for the class instructional activity, taken up following the instructional activity, and then destroyed. The class set may be used in each class for which the copyrighted material is appropriate. *This restriction also applies to any copies made for staff development sessions.*

Fair Use Guidelines allow a one-time duplication of a print resource, if time does not permit receiving written permission from the copyright holder. If the material duplicated is to be used again, then prior express written permission from the copyright owner must be secured.

A teacher may not scan a book to create a digital copy of the book for use in the classroom, library media center, or other location.

A teacher may not make a recording of a book without prior express written permission of the copyright owners.

A teacher may not make copies from consumables such as workbooks unless express permission is granted in the consumable product.

A teacher may not create anthologies of various works in place of purchasing these materials.

A teacher may not edit a book or other printed material by removing or covering words or phrases he or she may find objectionable.

Computer Software

A teacher may not load a single-user version of a software program on more than one computer. This includes programs on CD-ROM such as encyclopedias.

A teacher may make an archival copy of a computer software program. This copy may not be shared and must be destroyed or transferred if the original copy is transferred. Verify the right to make an archival copy by consulting the software documentation.

How Much Can Be Copied?

*In any **one** semester a teacher may use...*

- **Motion media:** 10% or 3 minutes, whichever is less, of a single work.
- **Print media:** 10% or 1000 words, whichever is less, of a single work.
- **Poems (*less than 250 words*):** the entire poem; no more than three poems by one poet or five poems from one anthology.
- **Poems (*more than 250 words*):** up to 250 words; no more than three excerpts from one poet, no more than five excerpts by different poets from a single anthology.
- **Music, lyrics, music videos:** up to 10%, no more than thirty seconds of music and lyrics from a single work.
- **Illustrations/photographs:** Entire image; no more than five images by single artist/photographer; no more than 10%, or fifteen images, whichever is less, from a collection published as a single work.